



DEPARTMENT OF VETERANS AFFAIRS

January 25, 2018

In Reply Refer To: 310/PMC/APPEALS/SCR

Dear Ms.

We have reviewed all the evidence and have granted all benefits sought under appeal.

We made a decision on your claim for dependency and indemnity compensation (DIC) received on December 14, 2017.

This letter tells you about your entitlement amount and payment start date and what we decided. It includes a copy of our rating decision that gives the evidence used and reasons for our decision. We have also included information about additional benefits, what to do if you disagree with our decision, and who to contact if you have questions or need assistance.

Your Award Amount and Payment Start Date

Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason For Change
\$1,257.95	Jul 1, 2017	Original Award
1,283.11	Dec 1, 2017	Cost of Living Adjustment

We're paying you as a surviving spouse with no dependents. *Let us know right away if there is any change in your marital status.*

You Can Expect Payment

Your payment begins the first day of the month following your effective date. You will receive a payment covering the initial amount due under this award, minus any withholdings, in approximately 15 days. Payment will then be made at the beginning of each month for the prior month. For example, benefits due for May are paid on or about June 1.



DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Regional Office

VA File Number

Represented By:
AGENT OR PVT ATTY-EXCLUSIVE CONTACT NOT REQUESTED
Decision Review Officer Decision
12/28/2017

INTRODUCTION

The records reflect that [redacted] was a veteran of the Gulf War Era. The veteran served in the Army from June 22, 2010, to June 26, 2017. We received a Notice of Disagreement from you on December 14, 2017 about one or more of our earlier decisions. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

- 1. Service connection for the cause of death is granted.**
- 2. Basic eligibility to Dependents' Educational Assistance is established.**

EVIDENCE

- VA Form 21-534, Application for Dependency and Indemnity Compensation, Death Pension, and Accrued Benefits by a Surviving Spouse or Child, received July 18, 2017
- DD 1300 received July 18, 2017

- Marriage Certificate received July 18, 2017
- Death Certificate received July 18, 2017
- VCAA Letter dated August 3, 2017
- VA Notification Letter dated September 14, 2017
- VA Form 21-0958, Notice of Disagreement received December 14, 2017
- Service Treatment Records

REASONS FOR DECISION

1. Service connection for the cause of death.

The death of a Veteran will be considered as having been due to a service-connected disability when the evidence establishes that such disability was either the primary or contributory cause of death.. The death certificate recorded the Veteran's cause of death as self inflicted gunshot wound.

The Veteran was treated for depression and anxiety during service. He died while in service and was honorably discharged. Service connection for the cause of the Veteran's death is granted on a primary basis as the evidence shows that it was directly related to military service.

2. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35.

Eligibility to Dependents' Educational Assistance is derived from a veteran who was discharged under other than dishonorable conditions; and, has a permanent and total service-connected disability; or a permanent and total disability was in existence at the time of death; or the veteran died as a result of a service-connected disability. Also, eligibility exists for a serviceperson who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as: missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power.

Basic eligibility to Dependents' Educational Assistance is granted as the evidence shows the serviceperson died in service.

REFERENCES:

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our website, www.va.gov.